

REMARKS

Claims 1-3, 9 and 10 remain pending upon entry of this amendment. The Applicant respectfully requests reconsideration of the application in view of the following remarks submitted in support thereof. The current status of the claims is summarized below.

Claim 1 has been amended.

Claims 4-8 and 11-21 were previously cancelled.

Remarks are presented reviewing the amendments (i) that overcome the Section 112 rejections, and (ii) made to overcome the Section 102 (e) and 103 rejections. Allowance of this Application is respectfully requested.

Rejections under 35 U.S.C. § 112:

Claims 1-3, 9-10 were rejected under 112, first paragraph, as failing to comply with the enablement requirement. Independent claim 1 has been amended to further clarify the subject matter of the invention and to address the discrepancy. Support for the amendment may be found in paragraphs [0052], [0053] and [0054] respectively and hence, no new matter has been added. Based on the amendment, the Applicants request that the 112 rejection be withdrawn. Claims 2-3 and 9-10 are dependent on the amended independent claim 1. Based on the amended independent claim 1, Applicants request the 112 rejection of dependent claims 2-3 and 9-10 be withdrawn.

Claims 1-3, 9-10 were rejected under 112, second paragraph, as being indefinite. Claim 1 has been amended to address the discrepancies including insufficient antecedent basis of a limitation and to clarify some of the other limitations. Based on the amendment, the Applicants request the withdrawal of the rejection under 112, second paragraph.

Rejections under 35 U.S.C. § 102(e):

Claims 1-3, and 9 were rejected under 102(e) as being anticipated by Connery et al. (U.S. Patent No. 6,246,683) (hereinafter “Connery”). Applicants respectfully traverse this rejection.

Connery teaches a network stack interface for communication between software stack layers during network storage data transfer. According to Connery, bypass logic is set up by defining and storing a flow specification for data transfer in a network adapter and using the bypass logic every time a data transfer is initiated. Accordingly, if the data is part of the flow specification then the bypass logic is triggered and network stack layers of the OSI model are bypassed and the data is directly copied to a buffer in a particular stack layer specified by the

bypass logic. If, on the other hand, the data is not part of the flow specification, then the bypass logic is not triggered and the data is passed through normal process. (*See Figure 5 and the related description in column 7, lines 21-55*). This indicates that a flow process has to be defined for every type of data being transferred or the data goes through normal process of using multiple copies to transfer from a source to a target stack layer.

Further, in Connery, when the bypass logic is defined for a particular data, the data does not get processed through each layer in the network stack. Instead, the data is directly copied over to a buffer in the target stack layer. This might cause problems when data from the source layer follows a different standard than the target layer. Additionally, there is no error control and synchronization of data in Connery.

In contrast, the claimed invention as recited in the amended independent claim 1 provides a network stack interface that has data requests flow through each layer in the network stack of the Open Systems Interconnection Reference Model (OSI model), where the associated data is processed further. (*See paragraph [0047]*). Unlike the bypass logic of Connery that allows the data to bypass certain layers based on the flow process, the data request of the claimed invention flows through each layer to ensure that the associated data being transferred is processed so that it is compliant with the associated protocol of each layer and ultimately with the target layer. In addition, the various layers provide adequate error control and synchronization and ensure that the data being transferred adheres to the protocol standards associated with each of the network stack layers so that when the data is received by the target layer it can be used. (*See page 3, paragraphs [0010], [0011], page 12, paragraph [0044], and page 13, paragraph [0047]*). Thus, the claimed invention provides a network stack interface that avoids multiple copies of data while ensuring that the data is compatible with the target layer protocol requirements by getting processed through each and every network stack layer based on network stack architecture and not bypass any stack layer. Connery does not suggest this feature of processing data through every network stack layer of the network stack architecture. In fact, Connery teaches the opposite by bypassing a plurality of stack layers based on a defined flow process.

Based on the arguments presented, the Applicants submit that the claimed invention is patentable over the cited art of Connery and request the withdrawal of the 102(e) rejection. Claims 2, 3 and 9 are dependent on the amended independent claim 1. Based on the argument presented for independent claim 1, the Applicants submit that claims 2, 3 and 9 are patentable over Connery and request the withdrawal of the 102 rejection.

Rejections under 35 U.S.C. § 103:

Claim 10 was rejected under 103(a) as being unpatentable over Connery et al. As mentioned above, Connery does not suggest or teach each and every element of the claimed invention. Based on the argument presented for independent claim 1, Applicants submit that claim 10, which includes all the limitations of the amended independent claim 1, is patentable over Connery and request the withdrawal of the 103(a) rejection.

In view of these remarks, it is respectfully requested that the amendments to claim 1 be accepted as overcoming the claim 1 rejection. Additionally, because all other pending claims are dependent on claim 1, favorable consideration of claims 2, 3, & 9-10 is respectfully requested.

In view of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. A notice of allowance is respectfully requested. If the Examiner has any questions concerning the present Amendment, the Examiner may reach the undersigned at (408) 774-6905. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. ADAPP166A). A copy of the transmittal is enclosed for this purpose.

Respectfully submitted,

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